

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR ORIGINAL UTILITY PATENT APPLICATION -
BASED ON EARLIER FILED PROVISIONAL APPLICATION**

As a below named inventor, I hereby declare that:

This is a declaration for an original utility application. My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the design entitled:

IDENTIFICATION AND ACCOUNTABILITY SYSTEM FOR SURGICAL SPONGES

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim, as amended by any amendment specifically referred to in the oath or declaration.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56 and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

I hereby claim the benefit under Title 35, United States Code, §119(e) of the following provisional application: U.S. Provisional Application No. 60/025,629, filed on 09/04/96.

As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

LAWRENCE N. GINSBERG Reg. No. 30,943

Please send correspondence to and direct telephone calls to:

LAWRENCE N. GINSBERG
Attorney at Law
907 CITRUS PLACE
NEWPORT BEACH, CA 92660-3227
Telephone/Fax **714-640-6261**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first or sole inventor WILLIAM W. STEWART

Inventor's signature *William W. Stewart*

Date 8/26/97 Country of Citizenship U.S.

Residence 426 NORTH FOY'S LAKE ROAD, KALISPELL, MT 59901

Post Office Address N/A MT

Full name of second or joint inventor BRIAN E. STEWART

Inventor's signature *Brian Stewart*

Date 8/26/97 Country of Citizenship U.S.

Residence 11982 KIOWA 306, LOS ANGELES, CA 90049

Post Office Address N/A CA

42660 "02422630"

Applicant(s): **WILLIAM W. STEWART and BRIAN E. STEWART**
Serial No.:
Filed: **herewith**
For: **IDENTIFICATION AND ACCOUNTABILITY SYSTEM FOR SURGICAL SPONGES**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) -- INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

IDENTIFICATION AND ACCOUNTABILITY SYSTEM FOR SURGICAL SPONGES

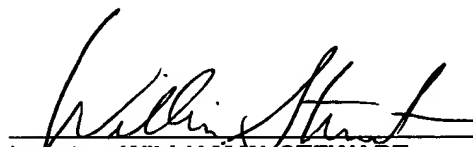
described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

There is no person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.


Inventor - **WILLIAM W. STEWART**

8/26/97
Date


Inventor - **BRIAN E. STEWART**

8/26/97
Date